

REMARKS

Upon entry of the foregoing amendment, claims 17, 18, 20, and 22 are pending in the application, with claims 19, 21, and 23 canceled without disclaimer of, or prejudice to, the material claimed therein. Claims 1-16 are withdrawn by the Examiner under 37 C.F.R. § 1.142(b). Claims 17, 18, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jacobson, U.S. Patent 6,004,257, in view of Ramon et al., U.S. Patent No. 5,170,784. Claims 19, 20, 22 and 23 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Applicants respectfully assert that claims 17, 18, and 21 are not obvious over the cited references, as Ramon et al., U.S. Patent No. 5,170,784 teaches a pacemaker employing Gauss ranges much higher than Applicants use and thus, even in combination with Jacobson, U.S. Patent 6,004,257, does not teach, describe or suggest Applicants' invention as claimed in claims 17, 18 and 21. However, to facilitate prosecution, Applicants have amended the claims to include the limitations of claim 19 into claim 17, and the limitations of claim 17, 21, and 23, into claim 22, to thereby incorporate the limitations of the base claims and any intervening claims into claims 19 and 22 as suggested by the Examiner. Support for the amendments is found in the originally filed claims, such that no new matter is added by the amendment of the claims. It is believed that claim 18, depending from amended claim 17 is now allowable as depending from an allowable claim. Thus, Applicants respectfully assert that as amended, the remaining claims are in a form suitable for immediate allowance.

CONCLUSION

In view of the foregoing amendment and remarks, each of the claims remaining in the application is in condition for immediate allowance. The Examiner is respectfully invited to telephone the undersigned at (336) 747-7541 to discuss any questions relating to the application.

Respectfully submitted,

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